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6 Attorneys for Plaintiff  
United States of America

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11  
12 Plaintiff,  
13  
14 v.  
15 CYNTHIA SEELEY,  
16 Defendant.

CASE NO. 20-CR-00202 WBS

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: January 31, 2022  
TIME: 9:00 a.m.  
COURT: Hon. William B. Shubb

16 **STIPULATION**

17 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
18 through defendant's counsel of record, hereby stipulate as follows:

- 19 1. By previous order, this matter was set for status on January 31, 2022.
- 20 2. By this stipulation, defendant now moves to continue the status conference until March  
21 28, 2022 at 9:00 a.m., and to exclude time between January 31, 2022, and March 28, 2022, under Local  
22 Code T4.
- 23 3. The parties agree and stipulate, and request that the Court find the following:
- 24 a) Defense counsel seek additional time to arrange and complete an evaluation of  
25 Ms. Seeley, which he believes may be relevant to the resolution and/or disposition of this case.  
26 Defense counsel represents that he has applied to the court for funding and awaits witness  
27 interview reports from his investigator that will be necessary for an effective evaluation. Upon  
28 completion of the evaluation, defense counsel will need time to confer with his client and the

1 government.

2 b) Counsel for defendant believes that failure to grant the above-requested  
3 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
4 into account the exercise of due diligence.

5 c) The government does not object to the continuance.

6 d) Based on the above-stated findings, the ends of justice served by continuing the  
7 case as requested outweigh the interest of the public and the defendant in a trial within the  
8 original date prescribed by the Speedy Trial Act.

9 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
10 et seq., within which trial must commence, the time period of January 31, 2022 to March 28,  
11 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
12 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
13 of the Court's finding that the ends of justice served by taking such action outweigh the best  
14 interest of the public and the defendant in a speedy trial.

15 **THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK**

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 26, 2022

PHILLIP A. TALBERT  
United States Attorney

/s/ SHELLEY D. WEGER  
SHELLEY D. WEGER  
Assistant United States Attorney


Dated: January 26, 2022

/s/ TIMOTHY ZINDEL by  
Shelley Weger as authorized on  
January 26, 2022  
TIMOTHY ZINDEL  
Counsel for Defendant  
CYNTHIA SEELEY

**ORDER**

IT IS SO FOUND AND ORDERED.

Dated: January 26, 2022

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE